

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

LORETTA BURTON,
Plaintiff

vs.

OZBURN HESSEY LOGISTICS,
Defendant

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CIVIL NO. 1:CV-12-1740

(Judge Caldwell)

M E M O R A N D U M

On August 30, 2012, plaintiff, Loretta Burton, filed this action pro se, alleging defendant, Ozburn Hessey Logistics, fired her because of her age and race. On July 3, 2013, we issued a case-management order setting a discovery deadline of December 6, 2013, and a pre-trial motions deadline of January 3, 2014.

We are considering Defendant's motion to compel Plaintiff to appear for a deposition. Defendant represents that Plaintiff has been uncooperative in its attempts to depose her before the discovery deadline. Plaintiff has not opposed the motion, but from attachments to the motion, it appears that Plaintiff does not want to be deposed until she has retained counsel, an effort she has been at for over a year. (Doc. 12, ECF p. 63, Pl.'s letter to defense counsel, dated September 15, 2013).

We understand Plaintiff's desire for representation, but she did file this suit pro se, and Defendant is entitled to defend her claims against it, which means it is

entitled to depose her to find out what exactly her case is against it. Given the passage of time since suit was started, we will grant the motion.

We will issue an appropriate order.

/s/William W. Caldwell
William W. Caldwell
United States District Judge

Date: November 27, 2013